

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In Re: Case No. 22-00218

Cherese L. Pierce Chapter 13
fka Cherese Thomas

Debtor. Hon. Judge Donald R. Cassling

OBJECTION TO CONFIRMATION OF PLAN FILED ON 01/09/2022

NOW COMES U.S. Bank Trust National Association, as Trustee of the Dwelling Series IV Trust, and/ or its assigns (hereinafter “Creditor”), by and through its attorneys, Sottile & Barile LLC, and moves this Honorable Court for an Order denying confirmation of Debtor’s plan filed on January 9, 2022 and in support thereof states as follows:

1. Debtor filed a petition under Chapter 13 of Title 11, United States Bankruptcy Code on January 9, 2022 and this Court has jurisdiction pursuant to 28 U.S.C. §1334 and Internal Operating Procedure 15(a) of the United States District Court for the Northern District of Illinois.
2. Creditor intends to file a claim secured by an interest in the real property commonly known as 29 HOWARD AVENUE, HILLSIDE, IL 60162 and that the Chapter 13 plan herein proposes that Debtor cure the pre-petition arrearage claim through the Chapter 13 Trustee while maintaining current, post-petition mortgage payments.
3. That although Creditor intends to file a proof of claim indicating an estimated pre-petition arrearage in the amount of \$124,185.50, the proposed plan provides for payment of only \$56,000.00 in contradiction of Creditor’s rights under 11 U.S.C. §1322(b)(2) and/or §1322(b)(5).
4. That sufficient grounds exist for denial of confirmation as Debtor’s plan:
 - a. Fails to cure Creditor’s pre-petition arrearage claim amount in full.
5. Creditor has incurred attorney fees and/or costs in connection with this bankruptcy proceeding subject to court approval, including:

\$550.00 for Objection to confirmation of the Chapter 13 plan including plan review and attending confirmation, if not separately billed.

WHEREFORE, Creditor prays this Court deny confirmation of the plan allowing the fees and costs described herein to be added to the indebtedness pursuant to the terms of the note and mortgage, and for such other and further relief as this Court may deem just and proper.

Dated: February 1, 2022

Respectfully Submitted,

/s/ Molly Slutsky Simons

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